REMARKS/ARGUMENTS

Applicants have amended claims 1, 6, 7, 9 and 22. Applicants have cancelled

claims 2-4 without prejudice or disclaimer. Thus, claims 1, 5-9, 16 and 22 are pending in

this application.

Claims 1-5, 8, 9, 16 and 22 were rejected under 35 U.S.C. §102(b) as being

anticipated by U.S. Patent No. 4,545,166 to Kielmeyer. Claims 6 and 7 were rejected

under 35 U.S.C. §103(a) as being unpatentable over Kielmeyer.

As set forth in Applicants' previous Amendment, which was submitted with

Applicants' Request for Continued Examination, a key feature of the invention is the

"compression strut". Applicants respectfully disagree with the Examiner's assertion that

Applicants' compression struts are taught by element 51 of Kielmeyer.

As stated in Applicants' previous response, Kielmeyer, at column 2, line 66,

describes element 51 is a "bar joist". Applicants respectfully submit that a bar joist, also

referred to in the art as a "support joist" or "ceiling joist", is the basic support structure of

the previous ceiling, and is akin to a construction beam.[1] Kielmeyer's bar joist clearly

does not have anything in common with a "strut" as recited in claims 1 and 9. The

dictionary definition of a strut is any piece of a frame which resists thrust or pressure in

the direction of its own length. This is the exact purpose for which a strut is a component

of Applicants' configuration; to resist longitudinal compression when an upward thrust or

pressure, such as wind uplift, is applied. In contrast, Kielmeyer does not describe or

suggest that any component of his suspended ceiling could perform this function.

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[1] U.S. Patent No. 4,805,855 to Kirby describes a "bar joist" in greater detail. (See column 1, lines 16-25 and column 3, lines 19-39).

In light of this recited distinguishing feature alone, claims 1 and 9, and all claims which depend therefrom, should be found allowable.

In addition to the distinguishing feature discussed above, Applicants have amended claims 1 and 9 to recite that "the bulb portion is interposed between the compression strut and the mid-portion of the clip." Support for this limitation is provided in Figure 1c. Thus, even if one were to consider Kielmeyer's "bar joist" (51) to be a compression strut, Kielmeyer does not describe, illustrate or suggest a configuration in which the bulb portion is "interposed" between elements (51) and (29).[2] The bulb portion being interposed between the clip and the compression strut in Applicants' configuration is key in preventing rotation, i.e. twisting, of the main runner. In contrast, Kielmeyer does not describe or suggest that any component of his suspended ceiling could perform this function.

Applicants have further amended claims 1 and 9 to include the limitations of claims 2-4 and to include the feature that the first and second legs of the clip are in "direct contact" with the vertical web of the main runner and the compression strut, respectively. Support for this limitation is provided in Figure 1c.

In view of the above, Applicants respectfully request that the Examiner reconsider the claims as amended. It is respectfully submitted that independent claims 1 and 9 and all claims which depend therefrom are believed to be in a condition for allowance. Applicants request that the rejections based on sections 102(b) and 103(a) be withdrawn.
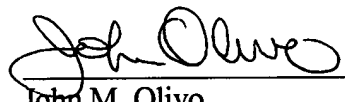
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[2] In the Official Action, the Examiner equates Kielmeyer's central section (29) to Applicants' mid-portion and Kielmeyer's central top (11) to Applicants' bulb portion.

Should this response not be deemed to place the application in condition for

allowance, it is requested that the Examiner contact Applicants' undersigned

representative at the telephone number listed below.

Respectfully submitted,

10/29/04
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